



**DECISION MEMO**  
**Fallsville Quarry**  
**USDA-Forest Service, Southern Region**  
**Ozark-St Francis National Forests, Big Piney Ranger District**

**Decision**

I have decided to expand a rock quarry site in the Fallsville area of Newton County, Arkansas. This will reduce maintenance costs and sediment loss by placing rock from the quarry on unpaved roadways in Newton and surrounding Counties.

The area of new ground disturbance will be approximately four acres including an area to set up a rock crusher. A portion of the previous quarry site has filled with water and will require partial draining in order to retrieve any rock which falls into it.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The proposed action falls within the following category; *36 CFR 220.6(e) (3) Approval, modification, or continuation of minor special uses of NFS lands that require less than 5 contiguous acres of land.*

The categorical exclusion (CE) is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment.

**Public Involvement**

On August 14<sup>th</sup>, 2013 a scoping/comment letter explaining the project proposals along with a map was mailed out to 47 leaders of Native American Tribes, neighboring landowners and interested members of the public. The letter requested comments and/or concerns be submitted within thirty days. One scoping/comment letters were returned as undeliverable.

A legal notice was published in Russellville AR's newspaper "*The Courier*" on August 16th, 2013, seeking comments on the proposal. The legal notice and accompanying map was also posted to the Ozark St-Francis National Forests website. From the public involvement efforts, the Forest Service received a total of four responses. In addition, various Forest Service specialists reviewed the proposal including specialists in the areas of biology, archeology, minerals, and lands.

The Big Piney Ranger District would like to thank all those who participated in the public involvement process by submitting comments. One comment received was from a Native American Tribe which had no concerns with the project proposal. The other comment received was from a member of the public which recommended that the water in the old quarry be tested before draining it down. This comment initiated a site visit by the Forest Hydrologist and District Ranger.

**Findings Required by Other Laws**

This decision is consistent with the Ozark-St. Francis National Forests Land and Resources Management Plan.

I have determined that there would be no adverse effects to Threatened and Endangered Species or their Critical Habitat, Floodplains, Wetlands or Municipal Watersheds, Congressionally Designated Areas, Native American Religious or Cultural Sites, Archaeological Sites or Historic Properties or Areas. On August 30<sup>th</sup>, 2013 a Biological Evaluation (BE) for the project was completed. Concurrence was received from the US Fish and Wildlife Service (USFWS) on the BE on May 8<sup>th</sup>, 2014. No areas of concern were identified through the field data collection process from the proposed projects for this decision. A copy of the BE and concurrence letter are located in the project file at the district office in Jasper.

A Heritage Report, which included the proposed rock quarry, titled *2009 Ice Storm Big Piney Ranger District Pope, Johnson, Searcy, and Johnson Counties, Arkansas* was completed and submitted to the State Historic Preservation Office (SHPO). Concurrence was received from SHPO on January 24<sup>th</sup>, 2014 with a finding of "no effect on historic properties".

No extraordinary circumstances related to this decision were identified. Any new discoveries during project implementation would be handled on a case by case basis. The project work would be stopped, the appropriate Forest Service Representative would be contacted and an evaluation would be made by the appropriate specialist.

#### **Administrative Review or Appeal Opportunities**

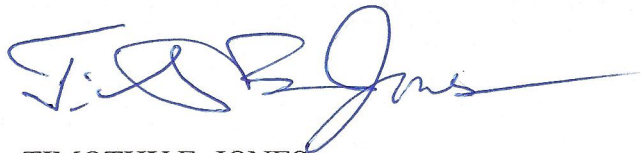
*36 CFR 215.12 Decisions and actions not subject to appeal. (e) Projects or activities for which notice of the proposed action and opportunity to comment is published, and (1) No substantive comments expressing concerns or only supportive comments are received during the comment period for a proposed action analyzed.*

#### **Implementation Date**

*36 CFR 215.9 Decision Implementation (C) When a project or activity decision is not subject to appeal (36 CFR 215.12), implementation may occur as follows: (1) Immediately after publication (36 CFR 215.7 (b)) of a decision documented in a decision memo.*

#### **Contact Person**

For further information on the specific activities authorized with this decision, contact Mike Mulford at the Jasper District Office, Big Piney Ranger District @ 870-446-2228 ext. 5136.



TIMOTHY E. JONES

5/19/2014

Date:

District Ranger,  
Big Piney Ranger District  
Ozark-St. Francis National Forests